

### **REMARKS**

Reconsideration of the rejections is respectfully requested.

Claims 1-60 and 74-79 were previously canceled. Claims 61-73 were rejected in the FOA. Claims 63 and 73 are currently amended. No claims are currently added or canceled. The amendments are fully supported by the original disclosure, and no new matter is added. Claims 61-73 remain pending in the application.

### **CLAIM REJECTIONS UNDER 35 U.S.C. § 103**

In the Office Action, claims 73 and 62-63 were rejected under 35 U.S.C. § 103(a) as being unpatentable in view of U.S. Patent 6,959,207 to Keinonen (hereinafter “Keinonen”) and U.S. Patent 6,320,947 to Tyroler et al (hereinafter “Tyroler”). Claim 61 was rejected as being unpatentable over Keinonen in view of Tyroler and further in view U.S. Patent 4,975,694 to McLaughlin et al. (hereinafter “McLaughlin”). Claims 64-71 were rejected as being unpatentable over Keinonen in view of Tyroler and further in view of U.S. Patent 6,753,842 to Williams et al. (hereinafter “Williams”). Claim 72 was rejected as being unpatentable over Keinonen in view of Tyroler and McLaughlin and further in view of Williams.

In the FOA, the combination of Keinonen and Tyroler was cited for teaching or suggesting the recitations of claim 73. Applicants thank the Examiner for explaining his reading of Tyroler for the disclosure of assigning a single contact to one of the three priority level lights (i.e. where the user inputs only one address for a priority level). While Applicants respectfully disagree that Tyroler and Keinonen teach or even suggest the features of claim 73, either alone or in combination, Applicants have nonetheless amended claim 73 in the interests of furthering prosecution. The amendments to claim 73 are supported at least in Figures 2 and 6 and on page 12, lines 9-22 of the specification.

As amended, claim 73 recites, in part, “. . . a processor unit coupled to the transceiver and touch-screen display, wherein the processor unit is configured to . . . cause the touch-screen display to display information associated with one or more messages received from the first source in response to the selection, by a user, of the first virtual key, and to display information associated with one or more messages received from the second source in response to the selection, by the user, of the second virtual key.

Therefore, claim 73 now recites a mobile electronic communication device that is configured to alert a user to a received message in a manner that identifies the source of the message (i.e. by lighting the virtual key associated with that source), and also to display information associated with a message received from a source when the user selects the virtual key associated with that source. Viewed properly as a whole, claim 73 teaches a novel device that allows the user to quickly and conveniently identify the sender of a received message and to display information associated with one or more messages received from that sender simply by selecting a single virtual key associated with the corresponding source.

In contrast, Tyroler teaches a device that is configured to indicate that an e-mail message for the user has been received by the ISP. The device merely displays the priority level of the received message by activating the high, medium or low priority light. Tyroler does not teach or suggest any other functionality for the lights of the device – they are actual (as opposed to virtual) lights that cannot be activated by the user to perform an additional function. Nor is the light associated with the source of the message.

Therefore, Tyroler cannot teach or even suggest the recitation “cause the touch-screen display to display information associated with one or more messages received from the first source *in response to the selection, by a user, of the first virtual key*, and to display information associated with one or more messages received from the second source *in response to the selection, by the user, of the second virtual key . . .*”

Keinonen cannot remedy the deficiencies of Tyroler. Keinonen teaches an emotional notification system in which a first communication partner assigns a data object on his/her device to a second communication partner, and activation of the data object the first communication partner's device causes a "notification message" such as a vibrational alert to manifest on the second communication partner's device. As the Examiner noted on page 3 of the FOA, Keinonen does not disclose that only one source is associated with a virtual key. Therefore, Keinonen also cannot teach or suggest displaying information associated with one or more messages from the *first* source in response to the selection, by a user, of the *first virtual key*, and displaying information associated with one or more messages received from the *second* source in response to the selection, by the user, of the *second virtual key*.

Moreover, a person having ordinary skill in the art would have no motivation to modify the message priority system of Tyroler to achieve the recitations of claim 73. The purpose of Tyroler is to indicate receipt of a high, medium, or low priority message without requiring the user to access his/her internet account through a computer or similar devices, while Keinonen is directed to alerting a user that a communication partner has activated a data object associated with that user. Incorporating the e-mail priority notification lights of Tyroler into the mobile emotional notification system of Keinonen would not produce the recitations of claim 73. Thus, Applicants respectfully submit that claim 73 is patentable over Keinonen in view of Tyroler.

Claims 61-72 depend from claim 73, incorporating its recitations. Thus, for at least the same reasons, claims 61-72 are also patentable over Keinonen in view of Tyroler.

In addition, Claim 63 has been amended to recite that the the processor unit is further configured to operate the first and second virtual keys in an alternate mode to "initiate a message operation addressed to the first source in response to the selection, by the user, of the first virtual key, and initiate a message operation addressed to the second source in

response to the selection, by the user, of the second virtual key.” This amendment is supported at least in Figures 1, 2 and 6, and on page 18, lines 10-20. Applicants note that the device of Keinonan requires the user to choose the desired notification message recipient from among a list of communication partners (col. 5, lines 37-56 and Fig. 4). Tyroler teaches an e-mail alert system as discussed above and does not teach or suggest initiating a messaging operation. Therefore, Keinonan and Tyroler, alone or in combination, cannot teach or suggest the recitations of claim 63. Thus, claim 63 is patentable over the combination of Keinonen and Tyroler for at least the above reasons.

Applicants respectfully request reconsideration and allowance of the pending claims.

**CONCLUSION**

In view of the foregoing, reconsideration and allowance of claims 61-73 is respectfully solicited. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,  
SCHWABE, WILLIAMSON & WYATT, P.C.

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by: /Al AuYeung/  
Al AuYeung  
Reg. No.: 35,432

**SCHWABE, WILLIAMSON & WYATT, P.C.**  
U.S. Bank Centre  
1420 5<sup>th</sup>, Suite 3010  
Seattle, Washington 98101  
Telephone: 206-622-1711